

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT

IN THE MATTER OF:  
Mario Martin, Debtor(s).

CHAPTER 13  
CASE NO. 16-48703-TJT  
JUDGE THOMAS J. TUCKER

**TRUSTEE'S OBJECTIONS TO  
CONFIRMATION OF CHAPTER 13 PLAN**

**NOW COMES**, the Chapter 13 Trustee, Tammy L. Terry, and objects to confirmation of the Chapter 13 Plan in the above matter pursuant to E.D. Mich. L.B.R. 3015-3(a) and 11 U.S.C. §1307(c)(5) as follows:

1. The Trustee objects to the proposed plan as it is currently underfunded and runs over sixty (60) months in violation of 11 U.S.C. § 1322(d).
2. A review of the Debtors Schedule I indicates two separate 401k loans in the monthly amount of \$220.00. The Trustee requests the Debtor provide the specific date upon which this obligation will be paid in full. To the extent that this obligation will be paid in full during the pendency of the Chapter 13 case, the Trustee requests that best efforts be increased by the amount of the 401k loan payment in the month immediately following the month in which the obligation is paid in full.
3. The Trustee requests that the debtor provide copies of three (3) post-petition pay stubs at least 14 days prior to confirmation.
4. The debtor's Plan fails to provide that all of the debtor's projected disposable income be utilized to fund the Plan. Specifically, the debtor's Schedule J has overstated the following expense(s) in contravention of 11 U.S.C. 1325(a)(3) and/or 11 U.S.C. 1325(b):
  - a. Rent - \$500.00

The Trustee requests that the debtor provide proof of this expense within fourteen days.

**WHEREFORE**, the Chapter 13 Trustee requests this Honorable Court deny confirmation of the debtor's (s') Chapter 13 Plan and dismiss this case pursuant to 11 U.S.C. §1307(c)(5).

OFFICE OF THE CHAPTER 13 TRUSTEE-DETROIT

Tammy L. Terry, Chapter 13 Trustee

September 26, 2016

/s/ Tammy L. Terry 

/s/TAMMY L. TERRY (P-46254)

Chapter 13 Standing Trustee

/s/ KIMBERLY SHORTER - SIEBERT (P-49608)

/s/ MARILYN R. SOMERS-KANTZER (P-52488)

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**CERTIFICATE OF MAILING**

I hereby certify that on September 29, 2016, a copy of **TRUSTEE'S OBJECTIONS TO CONFIRMATION OF CHAPTER 13 PLAN** was electronically filed with the Clerk of Court, served electronically to the debtor's(s') attorney and a copy of same deposited in the U. S. Mail to the debtor (s) at the address as it appears below.

/s/ Patrice N. Watson

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